

EXHIBIT 6

FILED UNDER SEAL

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS, ET AL., §
§
Plaintiffs, § CASE NO.
§ 4:20-cv-00957-SDJ
vs. §
§
GOOGLE LLC, §
§
Defendant. §

HIGHLY CONFIDENTIAL

Remote deposition of [REDACTED]
[REDACTED] taken in the above-entitled matter before
Suzanne J. Stotz, a Certified Shorthand
Reporter (Texas License No. 11942), Certified
Realtime Reporter, Registered Professional
Reporter, and Notary Public of the States of
New York and Texas, on Wednesday, May 1, 2024,
commencing at 9:05 a.m. EDT.

NY Notary: 01ST0024070

Job No. MDLG6673200

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18 Melonie DeRose

19
20 [REDACTED] [REDACTED]
c/o Google LLC

1 BY MS. YOUNG:

2 Q. The 2018 market share document
3 we've been discussing, that was a record that
4 Google created in conducting its business,
5 correct?

6 A. The document that I'm referring to
7 was a business document in which a piece of
8 that small document took a look -- referenced a
9 share. In terms of -- yeah, that pretty
10 much -- it referenced a share.

11 Q. What product was that share
12 attached to?

13 A. I'm not -- I'm not a hundred
14 percent sure, but I did see market share
15 reference in that doc.

16 Q. What market was that share attached
17 to?

18 A. Advertising, maybe AdX or GAM --
19 oh, definitely was not GAM. I want to say it
20 might have been just advertising.

21 I -- I don't know, Ms. Young. I
22 don't recall the specifics. I do recall seeing
23 a market share, though.

24 Q. Has there been any instruction to
25 Google employees to not conduct market share

1 calculations?

2 A. Absolutely. All Google employees,
3 specifically in the strategic realm, has been
4 instructed -- just generic -- generic Google
5 employees have been instructed not to do market
6 share calculations.

7 Q. Who has given that instruction?

8 A. As part -- internal counsel has
9 advised us, and as part of our PGTM team, it is
10 a general understanding within Google that we
11 do not do market share analysis. It is not
12 part of day-to-day operations.

13 Q. How has that instruction been
14 communicated?

15 A. It comes up in, like, every
16 meet- -- in a lot of meetings. From again,
17 communication from internal counsel,
18 communication from the leaders of the
19 organization in terms of market share analysis
20 is not something that we should be doing on a
21 regular -- should not be doing period, not even
22 on a regular basis.

23 Q. How long has that been the case
24 that Google employees have been instructed not
25 to conduct market share calculations?

1 A. It has been the case definitely
2 since I joined the past [REDACTED] years. Before
3 that, that's also, from my understanding, with
4 my peers, that was also the understanding that
5 market share cannot be part of our operations.

6 Q. When was the first time that you
7 received that instruction?

8 A. The first time I received it was
9 when I joined. As part of the [REDACTED]
10 when I joined, it was very clear we cannot do
11 market share analysis; and I was running the
12 strategic team at that point in time.

13 Q. When you say "it was very clear,"
14 how was it made to you very clearly?

15 MS. SESSIONS: And I'm just going
16 to caution you in giving your answer. You
17 can answer that question at a high level,
18 but don't reveal any specific
19 conversations that you may have had with
20 Google's lawyers.

21 You can answer the question.

22 THE WITNESS: Okay.

23 General counsel as well as
24 conversations within my own team. I have
25 actually led and made sure that market

1 share information is not doing that we
2 disclosed.

3 BY MS. YOUNG:

4 Q. Have these instructions been given
5 in writing?

6 A. That's a good question. I want to
7 say maybe, but I'm not a hundred percent sure
8 because it's -- it's pretty adamant. So maybe
9 it has been done in writing, but I'm not a
10 hundred percent sure; but the mindset is
11 definitely no market share.

12 Q. Is there a policy with respect to
13 this directive that no Google employees conduct
14 market share calculations?

15 MS. SESSIONS: Object to the form.
16 You may answer.

17 THE WITNESS: Ms. Young, that's the
18 policy since I've joined. Whether or not
19 it's a written policy, I'm not a hundred
20 percent sure; but that's the mindset.

21 Market share is not something we do
22 as part of our operates -- day-to-day
23 operations.

24 BY MS. YOUNG:

25 Q. Is that policy for Google employees

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C E R T I F I C A T E

I, SUZANNE J. STOTZ, a
Registered Professional Reporter, Certified
Realtime Reporter, and Notary Public in and for
the State of New York, do hereby certify that
the foregoing is a true and accurate transcript
of the stenographic above-captioned matter.



SUZANNE J. STOTZ, RPR, CRR

Notary Commission Expires 4/29/28

DATED: May 2, 2024

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